

10-25-05

TFW



PATENT  
Attorney's Docket No. 3521.123D

ART UNIT: 2625

EXAMINER: Gregory M. Desire

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:  
WEIJIAN WANG

Serial No.: 10/758,069

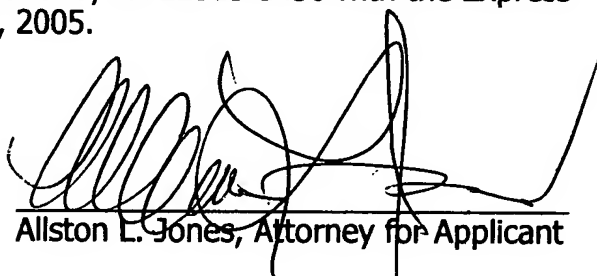
Filed: Jan. 14, 2004

For: **METHOD AND APPARATUS FOR DETERMINING BEST FOCUS USING  
DARK-FIELD IMAGING**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**EXPRESS MAIL CERTIFICATE**

I hereby certify that this paper, and the listed enclosures, and fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated below and is addressed to, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 with the Express Mail Label No. EV499894855US on October 24, 2005.

  
Allston L. Jones, Attorney for Applicant

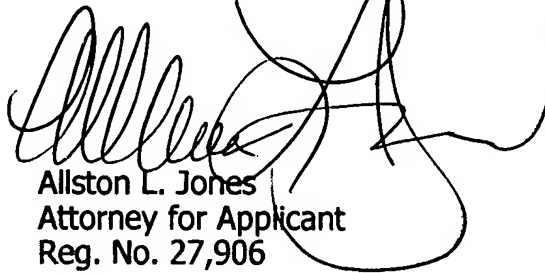
**TRANSMITTAL LETTER**

Transmitted herewith are the following documents:

1. Transmittal Letter in duplicate;
2. Response to Restriction Requirement; and
3. Postcard.

If any fees are required with the filing of these documents, the Commissioner is authorized to charge such fees to Deposit Account No. 16-1331.

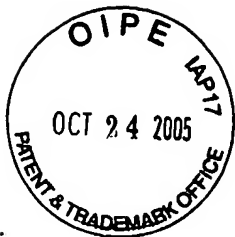
Respectfully submitted,



Allston L. Jones  
Attorney for Applicant  
Reg. No. 27,906

Date: October 24, 2005

Peters, Verny, Jones, Schmitt & Aston, L.L.P.  
425 Sherman Ave., Suite 230  
Palo Alto, CA 94306-1850  
Telephone No.:(650) 324-1677  
Attorney Docket No. 3521.123D (ALJ)



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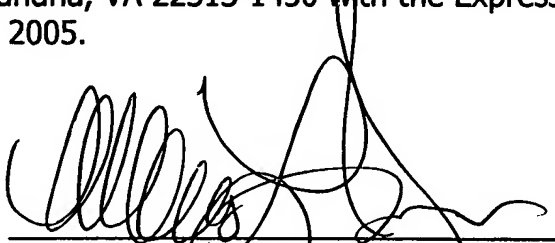
RESPONSE TO RESTRICTION  
REQUIREMENT

For: **METHOD AND APPARATUS FOR DETERMINING BEST FOCUS USING  
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Allston L. Jones, Attorney for Applicant

Dear Sir:

This Response is being submitted within one month of the Restriction

Requirement dated September 30, 2005.

The Examiner indicated in his action that he finds that the claims pending in the application identify two inventions and he has indicated that he is requiring a restriction of the claims into the following two groups:

- I Claims 1-10 and 23-30 drawn to focus calculating and adjusting contrast values based on variance and average intensity; and
- II Claims 11-22 drawn to optical system calculating values.

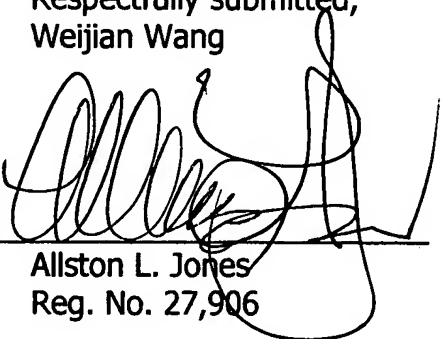
The Applicants elect Group I which the Examiner has indicated includes claims 1-10 and 23-30.

Applicant reserves the right to represent the claims in Groups II at a later date in the current application or in a later filed application(s).

Favorable action is respectfully requested.

Respectfully submitted,  
Weijian Wang

by

  
Allston L. Jones  
Reg. No. 27,906

Peters, Verny, Jones, Schmidt & Aston, LLP  
425 Sherman Ave., Suite 230  
Palo Alto, CA 94306  
Voice: 650/324-1677 [Mail Box 105]  
FAX: 650/324-1678  
e-mail: ajones888@earthlink.net  
October 24, 2005